WRITTEN OPINION OF THE INTERNATIONAL SEARCH AUTHORITY (SUPPLEMENTAL SHEET)

International file Ref.
IAP6 Rec'd PCT/PTO 23 JAN 2006
PCT/DE2004/001379

Re Item V

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: DE 198 34 943 A1 (SIEMENS AG, 80333 MUNICH, DE) 11 February 1999 (1999-02-11)

D2: US-B1-6 195 591 (NIXON MARK ET AL) 27 February 2001 (2001-02-27)

D3: WO 02/31607 A (SCHNEIDER AUTOMATION INC) 18 April 2002 (2002-04-18)

D4: DE 101 32 036 A1 (SIEMENS AG) 23 January 2003 (2003-01-23)

I. The description of the present application reveals that the following features are fundamental to the definition of the invention:

a. So that the software does not need to be manually matched individually to the specific automation system (see statement of the object, page **3** line **24** - page **4** line **2**), it is fundamental that the model structure representation is matched automatically to the specific automation system. This feature incidentally distinguishes the subject matter of the present application from documents D2 and D3.

b. Claim **1** contains no relationship between the text file and the other features of the invention. The description on page **7** line **27** - page **8** line **9**, however, reveals that the text file contains typical information on the basis of the relevant functional group, and the data processing device reads this information from the text file. In addition (see page **17** lines **1-4**), the data processing device

enters the returned components into the text file using their identification keys.

c. The components of the specific automation system which are able to be jointly assigned to a functional group in the model structure representation send identification keys of the same type to the data processing device (page **6** lines **1-15**; page **16** lines **4-21**). This feature is fundamental in order to ascertain the components which can be jointly assigned to a functional group. In addition, no alternative form for this feature is disclosed in the application (lack of support).

Since independent claim 1 does not contain these features, it does not meet the requirement of PCT Article **6** in connection with PCT Rule 6.3 b) that each independent claim needs to contain all the technical features which are fundamental to the definition of the invention.

II. Re Independent claim 1:

On account of the aforementioned lack of clarity, the subject matter **of independent claim 1** is not based on an inventive step within the meaning of PCT Article 33(3), which means that the requirements of PCT Article 33(1) are not met.

Document **D1** is regarded as the closest prior art with respect to the subject matter of claim **1**. It discloses (the references in brackets relate to this document):

- a method for automatically generating a structure representation which describes a specific automation system (column **1** lines **44-63**; figure **2**) from a model

structure representation which is defined in column **1** lines **1-9**,

- the model structure representation has functional groups and their links to one another (column **1**, lines **1-9**),
- one or more components can be assigned to each functional group (column **1** lines **44-63**; figure **2**),
- the components which can be jointly assigned to a functional group are ascertained (column **1** lines **44-63**; figure **2**),
- the components are entered into the model structure representation to generate the structure representation (column **1** lines **44-63**; figure **2**).

However, document **D1** does not disclose the provision of a text file which reproduces the model structure representation. Nevertheless, claim **1** has no relationship between the aforementioned text file and the other features (see **I.b** above also). The sole provision of a text file without using it further in the inventive method is not based on an inventive step (PCT Article 33(3)).

Claim **1** is also not based on an inventive step with respect to documents **D2** and **D3**, because claim **1** defines no automatic generation of the structure representation (see **I.a** above also). Documents **D2** and **D3** disclose the generation by a user of a structure representation which describes an automation system. The model structure representation is the SP88 standard hierarchy in both documents (see documents **D2** and **D3**, and the

appropriate places in the text which are indicated in the search report).

III. **Re Dependent claims 2, 3, 5, 6, 11-13:**

Dependent claims **2, 3, 5, 6, 11-13** contain no features which, in combination with the features of claim **1** to which they relate, meet the requirements of the PCT in relation to inventive step, see document **D1** and the appropriate places in the text which are indicated in the search report.

IV. **Re Dependent claims 7 and 10:**

Document **D2** discloses addressing using a component path which contains an identification for the component (**D2:** column **27** lines **40-57**) The use of the language XPath is already well known to the person skilled in the art. Dependent claims **7** and **10** thus do not meet the requirements of the PCT in relation to inventive step.

V. **Re Dependent claim 14:**

The use of the language XML is already well known to the person skilled in the art for showing functions which are independent of the specific application (for example see document D4). Dependent claim 14 therefore does not meet the requirements of the PCT in relation to inventive step.

VI. **Re Dependent claims 4, 8 and 9:**

The combinations of features contained in claims 4, 8 and 9 are neither known from the present prior art nor rendered obvious by it if the objections mentioned in Item I. above are taken into account.